

## BEFORE THE PUBLIC SERVICE COMMISSION

In Re: Fuel and Purchased Power)  
 Cost Recovery Clause and )  
 Generating Performance Incentive)  
 Factor. )

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DOCKET NO. 900001-EI  
 ORDER NO. 23778  
 ISSUED: 11-19-90

ORDER GRANTING CONFIDENTIALITY FOR  
 TAMPA ELECTRIC COMPANY'S EXHIBIT WNC-1  
FROM THE AUGUST, 1990 FUEL ADJUSTMENT HEARING

On July 9, 1990 Tampa Electric Company (TECO) filed an Exhibit sponsored by William N. Cantrell for use in the August, 1990 fuel adjustment hearing. This exhibit was filed as Document No. 6004-90. In an attached document, TECO requested confidential treatment for portions of Mr. Cantrell's exhibit and asserted that it was entitled to such treatment because portions of it constitutes proprietary business information.

TECO requests confidential classification of the weighted average per ton cost of coal purchased in document no. 1. TECO asserts that if the contractual price charged by Gatliff Coal Company to TECO for coal supplied under the parties' current contract is made public, it will adversely affect Gatliff's ability to negotiate higher prices with other purchasers. If other potential purchasers know how low Gatliff was willing to price coal sold to TECO, that price may be viewed by the other potential purchasers as a ceiling on the amount they are willing to pay for Gatliff coal. This would place Gatliff coal at a competitive disadvantage in the negotiating process.

The price per ton in document no. 1 is also sensitive in that it provides a general approximation of Gatliff's costs, given the short duration of time the pricing formula has been in effect. Over time, this effect will lessen. However, with only one year having elapsed under the new pricing methodology, confidential protection is still essential.

The over/under benchmark in document no. 1 is also entitled to confidential classification because it can be used in conjunction with the coal price benchmark to determine the TECO weighted average cost of coal purchased.

The total cost is entitled to confidential classification because it, too, is a function of the average cost of coal

DOCUMENT NUMBER-DATE

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PSC-RECORDS/REPORTING

ORDER NO. 23778  
DOCKET NO. 900001-EI  
PAGE 2

purchased times the total tons purchased. Disclosure of the total cost would reveal the weighted average cost of coal.

The total cost over/under benchmark in document no. 1 is, likewise, entitled to confidential protection. This number is an arithmetic function of the weighted average cost of coal purchased and its disclosure would enable a competitor to determine that weighted average cost.

The weighted average per ton water transportation price in document no. 2 from all TECO coal sources is also entitled to confidential classification under Section 366.093(3)(d) and (e), Florida Statutes. Disclosure of this information would impair the efforts of TECO to contract for goods and services on favorable terms. In addition, it would harm the competitive interests of TECO's transportation affiliates and thereby ultimately harm TECO and its customers. The weighted average per ton water transportation price can be used with other publicly available data to determine the segmented transportation prices for river barge transportation services as well as ocean barge transportation services. There exists vigorous competition among suppliers of these transportation services and any public disclosure of prices charged by TECO's affiliates would eliminate any negotiating leverage which the affiliates have in marketing their services to others.

The market for bulk commodity transportation is also very competitive. Aside from the coal transportation services performed for TECO, the TECO transport and trade affiliates currently transport coal and other bulk commodities for other customers as well.

As commercial enterprises, the affiliates face significant competition for each of the other transportation, transfer and storage services that they perform. Operators on the inland waterways include approximately 2,000 individual carriers. In size these carriers range from operators of single towboats to those operating large fleets of vessels and barges. Only a very small percentage of inland waterway traffic is subject to regulation. Exempt carriers are not required to publish revenues, operating data rates, or financial information.

Disclosing the amounts charged by these affiliates to TECO would permit the affiliates' other customers, who may be paying

ORDER NO. 23778  
DOCKET NO. 900001-EI  
PAGE 3

higher prices for similar services, to bargain for more favorable terms from the affiliates.

The weighted average per ton water transportation price in document no. 2 is also entitled to confidential protection because of the short period of time which has transpired since TECO converted from a cost-based transportation arrangement to a market-based approach. Disclosure of the market-based price would enable a competitor to more closely approximate what the transportation affiliates' cost-based rates were under the old arrangement. Over time this effect will lessen. However, the recency of the conversion necessitates protecting this information from public disclosure.

The over/under benchmark in document no. 2 requires confidential protection for the same reasons as the weighted averaged water transportation costs because the over/under benchmark is an arithmetic function of the weighted average water transportation costs and the transportation benchmark. Disclosure of the over/under benchmark figure would enable competitors to determine the value of the weighted average water transportation costs. Therefore, the over/under benchmark figure is entitled to confidential protection for the same reasons as the weighted average water transportation cost figure.

The total transportation cost in document no. 2 is entitled to confidential protection because it, too, is an arithmetic function of the total tons transported and the weighted average water transportation cost. Therefore, the total transportation cost is entitled to confidential protection for the same reasons referred to above with respect to the weighted average water transportation cost figure.

The total cost over/under benchmark amount in document no. 2 can be used to calculate the weighted average water transportation cost and therefore, the total cost over/under benchmark is entitled to confidential protection for the same reasons cited above with respect to the weighted average water transportation cost.

In consideration of the foregoing, it is

ORDERED that Tampa Electric's request for confidential treatment of weighted average per ton price of coal purchased figure in document no. 1 is granted. It is further

ORDER NO. 23778  
DOCKET NO. 900001-EI  
PAGE 4

ORDERED that Tampa Electric's request for confidential treatment of the over/under benchmark figure in document no. 1 is granted. It is further

ORDERED that Tampa Electric's request for confidential treatment of the total cost figure in document no. 1 is granted. It is further

ORDERED that Tampa Electric's request for confidential treatment of the total cost over/under benchmark figure in document no. 1 is granted. It is further

ORDERED that Tampa Electric's request for confidential treatment of the weighted average per ton water transportation price for all TECO coal sources figure in document no. 2 is granted. It is further


ORDERED that Tampa Electric's request for confidential treatment of the over/under benchmark figure in document no. 2 is granted. It is further

ORDERED that Tampa Electric's request for confidential treatment of the total transportation cost figure in document no. 1 is granted. It is further

ORDERED that Tampa Electric's request for confidential treatment of the total cost over/under benchmark figure in document no. 2 is granted. It is further

ORDERED that if a protest is filed within 14 days of the date of this Order, it will be resolved by the appropriate Commission panel.

By ORDER of Commissioner Betty Easley, as Prehearing Officer,  
this 19th day of NOVEMBER, 1990.

  
BETTY EASLEY, Commissioner  
and Prehearing Officer

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